

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-cv-370-FDW**

CHASTIS NIXON, )  
                    )  
Plaintiff,       )  
                    )  
vs.               )  
                    )  
                    )  
                    )                           **ORDER**  
JOHN DOE, et al., )  
                    )  
Defendants.      )  
\_\_\_\_\_)

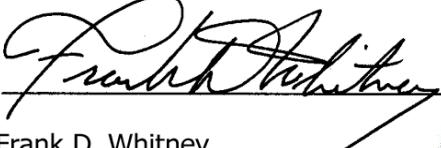
**THIS MATTER** is before the Court following Plaintiff's failure to comply with the Court's Order granting Plaintiff the opportunity to amend his Complaint to cure the deficiencies in the Complaint. See (Doc. No. 13).

Pro se Plaintiff Chastis Nixon, a North Carolina state inmate currently incarcerated at Alexander Correctional Institution in Taylorsville, North Carolina, filed this action on August 14, 2015, pursuant to 42 U.S.C. § 1983. Following an initial review by this Court, the Court determined, in an order dated February 12, 2016, the Complaint in its current form was subject to dismissal because the allegations were too vague to state a cognizable claim against any of the named Defendants. The Court gave Plaintiff the opportunity to amend his Complaint to provide more "specific allegations—that is, he needs to allege facts with specific dates and persons, and conduct that allegedly violated his constitutional rights." (Doc. No. 13 at 4). The Court expressly warned Plaintiff that his failure to amend the Complaint in accordance with the Court's order would result in dismissal without prejudice and without further notice to Plaintiff. (*Id.* at 7). On March 10, 2016, Plaintiff filed a motion for extension of time to file an Amended Complaint.

(Doc. No. 14). By order dated March 14, 2016, this Court granted Plaintiff an additional thirty days to amend his Complaint. (Doc. No. 17). The Court stated in the order that no further extensions of time would be granted. (*Id.* at 1). More than thirty days have elapsed since this Court's issuance of this second order, and Plaintiff has failed to submit an Amended Complaint. Given that Plaintiff has failed to respond to this Court's order giving him the opportunity to cure the deficiencies in his Complaint, this action will be dismissed without prejudice for failure to prosecute.

**IT IS, THEREFORE, ORDERED that:**

- (1) This action is dismissed without prejudice.
- (2) The Clerk of this Court is directed to terminate this action.



Frank D. Whitney  
Chief United States District Judge

